

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Rubinfeld, et al.

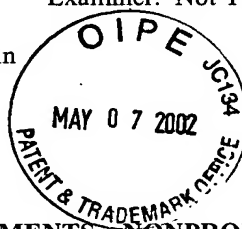
Serial No.: 10/081,974

Filed: February 21, 2002

For: Sequential Therapy Comprising a 20(S)-Camptothecin  
and a Pyrimidine Base Analog

Group No.: 1614

Examiner: Not Yet Assigned

Commissioner for Patents  
Washington, D.C. 20231

## COMPLETION OF FILING REQUIREMENTS—NONPROVISIONAL APPLICATION

- I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed 3/22/2002. A copy of the Notice to File Missing Parts of Application—Filing Date Granted (Form PTO-1533) is enclosed.

## DECLARATION OR OATH

- II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

## POWER OF ATTORNEY

- III. Enclosed is an original Power of Attorney by Assignee to Exclusion of Inventor.

## COMPLETION FEES

- |  |          |
|--|----------|
| 1. Surcharge Fee: Late payment of filing fee (37 C.F.R. 1.16(e)) | \$65.00  |
| 2. Assignment (See "ASSIGNMENT COVER SHEET".)                    | \$40.00  |
| 3. Total completion fees   | \$105.00 |

## EXTENSION OF TIME

- IV. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.  
Fee Due: \$0

## REQUEST FOR CORRECTED FILING RECEIPT

- V. Attached is a copy of the official filing receipt for which issuance of a corrected filing receipt is respectfully requested. There are errors with respect to the following, which are incorrectly entered.

Error in	Correct data
1. Applicant name and/or addresses	-- Joseph Rubinfeld, <i>Danville, CA</i> ; Karl Mettinger, <i>Berkeley, CA</i> ; John Lyons, <i>Moraga, CA</i> ; Larry Romel, <i>Oakland, CA</i> --

## TOTAL FEE DUE

- VI. The total fee due is: Completion fees \$105.00

TOTAL FEE DUE \$105.00

## PAYMENT OF FEES

- VII. Charge Account No. 23-2415 (12636-263) in the amount of \$105.00.  
Please charge Account No. 23-2415 (12636-263) for any fees that may be due by this paper.

  
David J. Weitz, Reg. No. 38,362Wilson Sonsini Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, CA 94304  
(650) 493-9300  
Customer No. 021971

## CERTIFICATE OF MAILING BY EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service as Express Mail (Label No. EL757 550 812 46) in an enveloped addressed to: Commissioner for Patents, Washington, D.C. 20231

Date of Deposit: 5/7/02  
  
Lefanti Agosta



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 and 1.28.

**TOTAL AMOUNT OF PAYMENT** (\$ ) 105.00**Complete if Known**

Application Number	10/081,974
Filing Date	February 21, 2002
First Named Inventor	Rubinfeld
Examiner Name	Not Yet Assigned
Group/Art Unit	1614
Attorney Docket Number	12636-263

**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

23-2415 (Docket No. 12636-263)

Deposit  
Account  
Name

Wilson Sonsini Goodrich &amp; Rosati

☒ Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>(\$ ) 0.00</b>

**2. EXTRA CLAIM FEES**

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	x	=
Independent Claims	-3** =	x	=
Multiple Dependent			=

\*\*or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$ ) 0.00**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify)				25	Request for Corrected Filing Receipt
Other fee (specify)				55/110	Terminal Disclaimer

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ ) 105.00**SUBMITTED BY**

Name (Print/Type)	David J. Weitz	Registration No. (Attorney/Agent)	38,362	Telephone	650-493-9300
Signature		Date	May 7, 2002	Customer No. 021971	

**Complete (if applicable)**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/081,974	02/21/2002	Joseph Rubinfeld	12636-263

021971  
WILSON SONSINI GOODRICH & ROSATI  
650 PAGE MILL ROAD  
PALO ALTO, CA 943041050



CONFIRMATION NO. 2253  
FORMALITIES LETTER



\*OC000000007699373\*

Date Mailed: 03/22/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

05/24/2002 SSALEEKU 00000014 232415 10081974

01 FC:105 130.00 CH

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

~~05/13/2002 BOBR0HA1 00000122 232415 10081974~~~~01 FC:205 65.00 CH~~

~~Adjustment date: 05/24/2002 SSALEEKU~~  
~~05/13/2002 BOBR0HA1 00000122 232415 10081974~~  
~~01 FC:205 65.00 CH~~

**RECEIVED**

MAR 28 2002  
 WILSON SONSINI  
 GOODRICH & ROSATI

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/081,974	02/21/2002	1614	1334	12636-263		53	2

021971  
 WILSON SONSINI GOODRICH & ROSATI  
 650 PAGE MILL ROAD  
 PALO ALTO, CA 943041050



CONFIRMATION NO. 2253

## FILING RECEIPT



\*OC000000007699372\*

Date Mailed: 03/22/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Joseph Rubinfeld, [Residence Not Provided] -- DANVILLE, CA --  
 Karl Mettinger, [Residence Not Provided] -- BERKELEY, CA --  
 John Lyons, [Residence Not Provided] -- ~~MORAGA~~ MORAGA, CA --  
 Larry Romel, [Residence Not Provided] -- OAKLAND, CA --

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 03/22/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

## Title

Sequential therapy comprising a 20(S)-camptothecin and a pyrimidine base analog

Preliminary Class

514